

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
February 24, 2011

In the Matter of C. KRUPA, Minor.

No. 299114
Genesee Circuit Court
Family Division
LC No. 10-126475-NA

In the Matter of S. KRUPA, Minor.

No. 299115
Genesee Circuit Court
Family Division
LC No. 10-126476-NA

Before: SAAD, P.J., and K.F. KELLY and DONOFRIO, JJ.

MEMORANDUM.

In these consolidated cases, respondent appeals the circuit court's orders that terminated his parental rights to the minor children pursuant to MCL 712A.19b(3)(h), (k)(ii), and (n)(ii). For the reasons set forth below, we affirm.

Respondent does not challenge the trial court's ruling that a statutory ground for termination was established by clear and convincing evidence, but argues that the trial court erred by ruling that termination of his parental rights is in the children's best interests. See MCL 712A.19b(5).

We review the trial court's best interests decision for clear error. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); MCR 3.977(K). A report was substantiated that respondent sexually abused his wife's minor niece in December 2002. Thereafter, defendant was charged with sexually abusing a minor stepdaughter who lived in the home. Among other offenses, respondent pleaded guilty to eight counts of first-degree criminal sexual conduct, and was sentenced to 356 to 600 months in prison.

The evidence shows that respondent is a pedophile who preyed on a child in his home, and committed acts of sexual penetration with minors over a period of years. Respondent had no contact with one of the children, CK, for more than a year and evidence established that CK wished to be adopted by his stepfather. Further, the minor girl, SK, was approaching the age at which respondent's victim had first been abused. SK's mother opposed termination only for the potential Social Security benefits to which SK might be entitled in the event of respondent's

death. Though SK's mother reported that SK's therapist saw some benefit to continued contact with respondent, SK was unaware of respondent's repeated abuse of her sister. Based on the evidence presented, the trial court did not clearly err in ruling that termination of respondent's parental rights was in the children's best interests.

Affirmed.

/s/ Henry William Saad
/s/ Kirsten Frank Kelly
/s/ Pat M. Donofrio